

United States Courts
Southern District of Texas
FILED

APR 10 2012

~~Barth & Bradley, LLP & Counsel~~

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

42,220.⁰⁰ IN US CURRENCY,

Defendant.

Case 4:12-cv-00430

CLAIM OF OWNERSHIP

I, Hakim Jabbar Al-Muhaifeed, declare under penalty of perjury:

Acting on my own behalf and as bailee for my cousin Hassan Al-Abbas, his sister, Asraa Al-Zubaidy, their brother, Ali Al- Abbas, and my half-brothers, Haider Al-Jachi, and Ali Al-Jachi, I make claim to defendant in rem, \$42,220.⁰⁰ in United States currency. Hassan Al-Abbas, Asraa Al-Zubaidy, Ali Al- Abbas, Haider Al-Jachi, and Ali Al-Jachi have each authorized me to act on their behalf, as bailee, in pursuing this claim.

The currency was lawfully obtained by my family and lawfully held by me. I own \$10,000 of the currency. My half-brother, Haider Al-Jachi owns \$3,500 of the currency. My half-brother, Ali Al-Jachi, owns \$9,500 of the currency. We each obtained our share of these funds from the sale of a home our mother owned in Iraq. I declared my share of this currency, \$10,000, when I brought it to the US in 2010. My cousin, Hassan Al-Abbas, owns \$9,500 of the defendant currency. His sister, Asraa Al-Zubaidy, owns \$4,500 of the currency. Their brother, Ali Al- Abbas, owns \$5,220 of the currency. The three of them earned their share of the funds through lawful employment in the US.

My cousins, my half-brothers and I are all United States citizens. Our family was granted asylum status in the mid-1990s, following the conflict in Iraq, due to our political activity in opposition to Saddam Hussein and the threat that regime posed to our family.

Four of us, Hassan Al-Abbas, Haider Al-Jachi, Ali Al-Jachi and I, were travelling together to visit extended family in Iraq when the currency was seized at the Houston airport on January 4, 2012.

My cousin and half-brothers had given their money to me to carry while we travelled so my cousin could focus on assisting my brothers, who suffered serious injuries during the war. My cousin and I have retained our full physical abilities so we were able to assist my brothers in making this trip. My half-brother Ali had not been able to travel to Iraq since we fled and sought asylum almost twenty years ago.

I must have misunderstood the officer's directive. The officers all spoke to me in English and could not communicate with me in Arabic. My English is good but I believe I am only about 60% proficient. When the officer questioned me and I filled out the form stating I had \$10,000, I thought he was asking me how much of my own money I was carrying. I thought had given the correct answer to his question by stating I had \$10,000. None of them asked me whether I was carrying money for other people until after the money had been displayed to them. None of the money was found in my luggage. It was all in a pocket on the inside front of my coat, where people normally carry money, and I opened my coat to show them where I was holding the money for safekeeping.

I live in Oregon and will request that this matter be transferred to the District of Oregon, as we are not wealthy people and cannot afford the cost of this litigation.

DATED this 5 day of April, 2012.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Hakim", with a long, sweeping horizontal line extending to the right.

Hakim Jabbar Al-Muhaifeed